REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I.   STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-21 are pending in this application. Claims 1, 8, 12 and 19-21 are independent and hereby amended. No new matter has been added. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

II.   SUPPORT FOR AMENDMENT IN SPECIFICATION

Support for this amendment is provided throughout the Specification as originally filed and specifically at paragraphs [0111], [0112], [0149]-[0154] and Fig. 4 of Applicant's corresponding published application. By way of example and not limitation:

> [0111] The metadata extracting section 142, configured as an extracting section associated with the present embodiment, searches for, reads, and **extracts the metadata recorded to the optical disk 60, automatically** or in response to user instruction.

> [0112] **To be more specific, when the optical disk 60 is loaded on the recording/reproducing apparatus 100 for example, the metadata extracting section 142 starts the recording/reproducing unit 120 to automatically search the storage area in the optical disk 60 for**
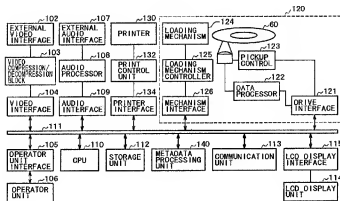
metadata and their storage locations. Also, the metadata extracting section 142 can read the detected metadata partially or entirely.

[0149] (4-2) Method of **Semi-Automatically** Displaying Metadata

[0150] **The following describes a method of semi-automatically displaying metadata** onto the surface of the optical disk 60 by use of the recording/reproducing apparatus 100 with reference to FIG. 11. FIG. 11 is a flowchart describing the metadata semi-automatically displaying method according to the present embodiment.
***

[0154] Next, in step S206, a print instruction is given by user. Through the operator unit 106 of the recording/reproducing apparatus 100 or the operator unit of the editing terminal apparatus 30, the user gives an instruction for printing the metadata recorded to the optical disk 60 and/or the metadata edited in step S204 to the metadata display sheet 66 attached to the optical disk 60, for example. The recording/reproducing apparatus 100 starts displaying the metadata only upon reception of this instruction, for example. **In this point, the present operation flow differs from that of the above-mentioned metadata automatically displaying method (in which the display processing automatically starts upon loading of the optical disk 60 for example).**

F I G . 4

III.   RESPONSE TO REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1, 3-4, 7-8, 10-12, 14, 15, 18 and 21 were rejected under 35 U.S.C.

§103(a) as allegedly unpatentable over U.S. Patent No. 6,833,865 to Fuller et al. (hereinafter,

merely "Fuller") in view of U.S. Patent No. 6,642,959 to Arai et al. (hereinafter, merely "Arai")

in view of U.S. Patent No. 6,476,817 to Harper et al. (hereinafter, merely "Harper").

Claims 2, 5-6, 9, 13, 16 and 17 were rejected under 35 U.S.C. §103(a) as

allegedly unpatentable over Fuller in view of Arai in view of Harper and further in view of U.S.

Patent No. 5,745,102 to Bloch et al. (hereinafter, merely "Bloch").

Claims 19 and 20 were rejected under 35 U.S.C. §103(a) as allegedly

unpatentable over Fuller in view of Arai in view of Harper and in view of Bloch and in further

view of U.S. Patent No. 6,873,435 to Tehranchi et al. (hereinafter, merely "Tehranchi").

Claim 1 recites, *inter alia*:

…wherein the extracting section performs automatic extraction **in
response to loading the storage medium on the information
processing apparatus** and manual extraction in accordance with a
user's operation of selecting the metadata to be extracted from a
list of selectable metadata… (Emphasis added)

Applicant submits that neither Fuller nor Arai nor Harper, taken alone or in

combination, would disclose, suggest or render predictable the above-identified features of claim

1. Specifically, none of the references used as a basis for rejection discloses or renders

predictable "wherein the extracting section performs automatic extraction **in response to

loading the storage medium on the information processing apparatus** and manual extraction

in accordance with a user's operation of selecting the metadata to be extracted from a list of

selectable metadata," as recited in claim 1.

Specifically, the Office Action (see page 2) asserts that Fuller discloses wherein

the extracting section performs automatic extraction in response to loading the storage medium,

and refers to Fuller, col. 4, lines 24-35. Fuller, col. 4, lines 24-35, col. 7, lines 31-35 and Fig. 4

are reproduced as follows:

Fuller, col. 4, lines 24-35:

In one aspect of the present invention, there is an integrated data and real-time metadata capture system, comprising a digital capture device producing a digital representation of one or more forms of media content; a feature extraction engine integrated with the digital capture device, the feature extraction engine having a plurality of feature extractors to **automatically extract metadata in real-time from the digital content simultaneously with the capture of the content;** and **a storage device capable of storing the media content and the metadata,** wherein selected portions of the metadata are associated with selected portions of the media content.

Fuller, col. 7, lines 31-35:

FIG. 4 is a block diagram showing a specific example of a digital video camera 100 containing an embedded content-based analysis engine 301. **Digital video frames are captured sequentially by a CCD sensor 201, while audio is captured by a microphone 202**…
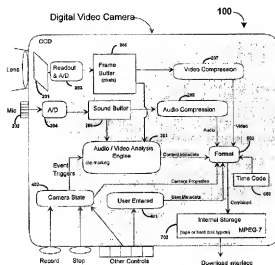

Figure 4

Applicant submits that Fuller teaches the feature extraction engine has a plurality

of feature extractors to automatically extract metadata in real-time from the digital content

simultaneously with the capture of the content, and the digital video frames are **captured by a**

CCD sensor 201, while audio is **captured by a microphone 202**. Therefore, although Fuller

teaches a storage device capable of storing the media content and the metadata, the feature

U.S. Appln. No. 10/798,056
Reply to Final Office Action dated April 11, 2012

PATENT
Attorney Docket No. 450100-04964

extractors automatically extract metadata **in response to the CCD sensor capturing video/the microphone capturing audio, instead of in response to loading the storage device**.

However, in the present invention, **when the optical disk is loaded on the recording/reproducing apparatus**, the metadata extracting section starts the recording/reproducing unit to automatically search the storage area in the optical disk for metadata and their storage locations, *i.e.*, automatic extraction is performed **in response to loading the storage medium on the information processing apparatus**.

Therefore, Fuller's extraction **in response to CCD sensor capturing video/microphone capturing audio** bears no resemblance to Applicant's automatic extraction **in response to loading the storage medium on the information processing apparatus**.

Thus, Fuller fails to disclose or render predictable "wherein the extracting section performs automatic extraction **in response to loading the storage medium on the information processing apparatus** and manual extraction in accordance with a user's operation of selecting the metadata to be extracted from a list of selectable metadata," as recited in claim 1.

Furthermore, this deficiency of Fuller is not cured by the supplemental teaching of Arai or Harper.

Therefore, Applicant submits that independent claim 1 is patentable and respectfully request reconsideration and withdrawal of the rejection.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 1, independent claims 8, 12 and 19-21 are also patentable, and Applicant thus respectfully requests reconsideration of the rejections thereto.

Frommer Lawrence & Haug LLP
745 Fifth Avenue
New York, NY 10151
212-588-0800
Customer Number 20999

16 of 18

01093146.DOC

IV.   DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Applicant thereby respectfully requests reconsideration and withdrawal of rejections thereto. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

Because Applicant maintains that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicant reserves the right to address such comments.

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

U.S. Appln. No. 10/798,056
Reply to Final Office Action dated April 11, 2012

PATENT
Attorney Docket No. 450100-04964

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant

By: Thomas F. Presson
Reg. No. 41,442
(212) 588-0800

Frommer Lawrence & Haug LLP
745 Fifth Avenue
New York, NY 10151
212-588-0800
Customer Number 20999

18 of 18

01093146.DOC